

FILED

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

~~UNITED STATES DISTRICT COURT~~

ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT

NOV 13 2023

for the

District of New Mexico**MITCHELL R. ELFERS****CLERK**

Division

GENEVA LANGWORTHY

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

COLFAX COUNTY SHERIFF

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. 23cv997 JFR

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No**COMPLAINT FOR A CIVIL CASE****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Geneva Langworthy
41 Jaybird Lane
We Park, Colfax County
NM 87749
701-770-2786

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

COLFAX COUNTY SHERIFF
1413 S. 2nd St.
Raton, Colfax County
NM 87440
575-445-5561
sheriffadmin@colfax.co.statenm

Defendant No. 2

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

COLFAX COUNTY
PO Box 98
Raton, Colfax County
NM 87740
mgore@colfax.co.state nm

Defendant No. 3

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Defendant No. 4

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

28 cfr Section 35.150
Failure to Accommodate (ADA)

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Monetary damages should be available from these entities for intentional discrimination

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

The Defendants failed to accommodate Plaintiff's disability, denying her access and participation, also denying Plaintiff effective communication

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

1. Prospective injunctive relief
2. Monetary damages

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

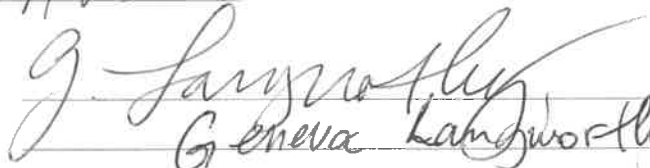
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

11/7/23

Signature of Plaintiff

Printed Name of Plaintiff


Geneva Langworthy**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

IN THE UNITED STATES DISTRICT COURT
FOR NEW MEXICO

GENEVA LANGWORTHY

Plaintiff,

vs.

COLFAX COUNTY,

Defendant.

)
) Case No.

)
) STATEMENT OF CLAIMS
)
)
)
)
)

STATEMENT OF CLAIMS

Background: The Plaintiff, Geneva Langworthy, is disabled. She suffers from osteoarthritis in her body, and from rheumatoid arthritis and in her hands. Ms. Langworthy has Post-Traumatic Stress Disorder and anxiety. She also has a reconstructed right knee, a Baker's cyst in her left knee, lumbago, and damage to her rotator cuffs.

Ms. Langworthy has been the victim of hate crimes against her due to her disability, by property owners in Ute Park, New Mexico. She has also been victimized by bias, denial of equal protection, and misconduct by the Colfax County Sheriff Department.

On April 24, 2023, Ms. Langworthy made a Reasonable Accommodation Request pursuant to Title II of the Americans with Disabilities Act, for provision of certain public records in electronic form. On April 27, 2023, the Colfax County

STATEMENT OF CLAIMS

Sheriff Dept. denied the accommodation request on the grounds of undue burden (whether financial or administrative was not specified). The County Sheriff failed to provide an alternate but equally-effective accommodation, as required by the Act.

Short and Concise Statement of Claim: “The Colfax County Sheriff Dept. failed to accommodate the rheumatoid arthritis of Plaintiff Langworthy, and failed to offer an alternate but equally-effective accommodation, thereby denying access and participation to the Plaintiff on the basis of her disabilities.”

Claims:

1. Failure to accommodate: 28 CFR § 35.130 General prohibitions against discrimination

(a) No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

(b)

(1) A public entity, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of disability—

(i) Deny a qualified individual with a disability the opportunity to participate in or benefit from the aid, benefit, or service;

(vi) Deny a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards; - (vii) Otherwise limit a qualified individual with a disability in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service.

(3) A public entity may not, directly or through contractual or other arrangements, utilize criteria or methods of administration—

(i) That have the effect of subjecting qualified individuals with disabilities to discrimination on the basis of disability;

(ii) That have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the public entity's program with respect to individuals with disabilities; or

(7)

(i) A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

(e)

(f) A public entity may not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the costs of measures, such as the provision of auxiliary aids or program accessibility, that are required to provide that individual or group with the nondiscriminatory treatment required by the Act or this part.

2. Failure to provide alternate accommodation 28 CFR § 35.150 Existing facilities

(a) General. A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. This paragraph does not—

(1) Necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities;

(2) Require a public entity to take any action that would threaten or destroy the historic significance of an historic property; or

(3) Require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. *In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance with §35.150(a) of this part would result in such alteration or burdens.* The decision that compliance would result in such alteration or burdens must be made by the head of a public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or

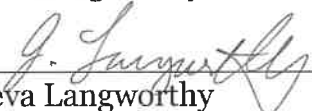
activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. **If an action would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity.**

DEMAND FOR RELIEF

Under the Doctrine of Ex parte Young, Ms. Langworthy is entitled to request prospective injunctive relief from on-going violations of her federal rights.

Where intentional discrimination can be proven, the ADA allows for monetary damages to be awarded. Ms. Langworthy will be seeking monetary damages in addition to prospective injunctive relief.

Respectfully submitted by Geneva Langworthy on Nov. 1, 2023.



Geneva Langworthy

PO Box 151
Ute Park NM 87749
701-770-2786

COLFAX COUNTY SHERIFF'S OFFICE

LEONARD BACA JR., SHERIFF
CHRIS SCHEAR, UNDERSHERIFF



1413 SOUTH 2ND STREET
RATON, NEW MEXICO 87740
PHONE: (575) 445-5561
FAX: (575) 445-2988

SENT VIA U.S. MAIL

March 10, 2023,

Geneva Langworthy

Ute Park, NM

E-MAIL

BurntView@gmail.com

RE: All records pertaining to Geneva Langworthy, Towhee Lane, or Jaybird Lane Ute Park from 1998 to the Present.

Dear Ma'am,

In response to your email requests dated March 7, 2023:

1. Under NMSA section 14-2-9(B), A custodian shall provide a copy of a public record in electronic format if the public record is available in electronic format and an electronic copy is specifically requested. However, a custodian is only required to provide the electronic record in the file format in which it exists at the time of the request. We only have paper copies and do not have these records in electronic format.
2. They can be copied per Colfax County Policy at one dollar per page.
3. I have provided you with all the documents that we have and responded to your request of the personnel on duty and all calls for the Colfax County Sheriff's office on September 8, 2022; in my previous responses, I have complied with your request, and I have no other documents or information to provide.

Sincerely,

A handwritten signature in black ink, appearing to read "Leonard M. Baca", is written over a horizontal line.

Leonard M. Baca

Colfax County Sheriff



G Longworth <burntview@gmail.com>

Reasonable Accommodation Requests

1 message

G Longworth <burntview@gmail.com>

Mon, Apr 24, 2023 at 12:22 PM

To: mgore@co.colfax.nm.us, sheriffadmin@co.colfax.nm.us

Colfax County:

My name is Geneva Langworthy. I am disabled and I own a residence in Colfax County.

I am writing with two Reasonable Accommodation Requests.

1. I require provision of all requested public records by electronic mail or other electronic means. I am unable to handle paper copies because of rheumatoid arthritis in my hands. I requested all records pertaining to myself from the Colfax County Sheriff but they have refused to provide the requested records in a form which is accessible to me.

2. I require an interpreter in the Sheriff department who will be able to effectively communicate with me. The only contact person I have is Charmaine, and she usually ignores my communications.

Title II of the Americans with Disabilities Act (28 CFR §35.160) requires effective communication between public entities and disabled persons. I have been denied effective communication with the sheriff dept. I require an interpreter.

I look forward to your prompt response. If Colfax County has a form or a procedure for making Reasonable Accommodation Requests, I am not aware of it. This written request serves as my formal and official disability accommodation request.

Thank you,
G. Langworthy

COLFAX COUNTY SHERIFF'S OFFICE



LEONARD BACA JR., SHERIFF
CHRIS SCHEAR, UNDERSHERIFF

1413 SOUTH 2ND STREET
RATON, NEW MEXICO 87740
PHONE: (575) 445-5561
FAX: (575) 445-2988

SENT VIA U.S. MAIL

E-MAIL

April 27, 2023

BurntView@gmail.com

Geneva Langworthy

Ute Park, NM, County of Colfax

RE: Reasonable Accommodation Requests

Dear Ma'am,

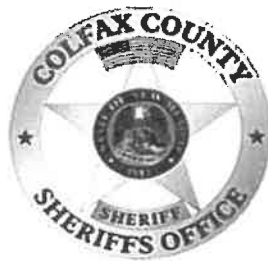
In response to your email request dated April 24, 2023:

"I require provision of all requested public records by electronic mail or other electronic means. I am unable to handle paper copies because of rheumatoid arthritis in my hands. I requested all records pertaining to myself from the Colfax County Sheriff but they have refused to provide the requested records in a form which is accessible to me."

1. Under NMSA section 14-2-9(B), A custodian shall provide a copy of a public record in electronic format if the public record is available in electronic format and an electronic copy is specifically requested. However, a custodian is only required to provide the electronic record in the file format in which it exists at the time of the request. We only have paper copies and do not have these records in electronic format. In my previous responses, I made all our documents available to you at the sheriff's office, which are responsive to your requests. A records custodian or public body is not required to compile information from the public body's records or otherwise create a new public record in response to a request under IPRA. I have complied with your request, and I have no other documents or information which are responsive to your requests. The County considers its response to your, September 20, and October 4, 2022, requests to be complete.

2. They can be copied per Colfax County Policy at one dollar per page.

COLFAX COUNTY SHERIFF'S OFFICE



LEONARD BACA JR., SHERIFF
CHRIS SCHEAR, UNDERSHERIFF

1413 SOUTH 2ND STREET
RATON, NEW MEXICO 87740
PHONE: (575) 445-5561
FAX: (575) 445-2988

"I require an interpreter in the Sheriff's Department who will be able to effectively communicate with me. The only contact person I have is Charmaine, and she usually ignores my communications.

Title II of the Americans with Disabilities Act (28 CFR §35.160) requires effective communication between public entities and disabled persons. I have been denied effective communication with the sheriff dept. I require an interpreter."

3. After the review of this request by the Colfax County Attorney, the ADA is not applicable to the situation where the request causes undue burden to the County and where you can find an alternative way, such as through friends or relatives, to hold the paper copies for you. The County has been in the process of obtaining a budget to digitize its records which was approved by the last commission meeting on 04,25,2023, but it will take some time to digitalize its records fully. In the meantime, you can have a family member or friend help read paper copies as an alternative until the County can finish its digitalization process. The ADA applies only to the situation to help with a known disability, and it appears there is no issue with your hearing, and the Sheriff's office responds to phone calls and emails. The Colfax Sheriff's Office has always fostered effective communications with the public within the legal limits.

Sincerely,

A handwritten signature in black ink, appearing to read "Leonard M. Baca", is written over a horizontal line.

Leonard M. Baca

Colfax County Sheriff



G Longworth <burntview@gmail.com>

Request sheriff records

1 message

G Longworth <burntview@gmail.com>

Thu, Aug 3, 2023 at 5:58 AM

To: mgore@co.colfax.nm.us

Mr. Gore,

I have requested records from the Colfax County Sheriff, which they refuse to provide. The sheriff is trying to charge me for records. I made a Reasonable Accommodation Request that the records be sent to me electromnically, because I have RA in my hands and have manual dexterity limitations. The sheriff said I should get someone else to hold the papers for me. That is a clear cut ADA violation. I will add it to the list of my civil rights violations when I sue the sheriff.

In the mean time, I still need the records I requested. I especially need the records from October of 2021 when a deputy terrorized me, as well as all newer records, including the sheriff's failure to protect me when Graham Honnaker fired a shot at me in Ute Park in January. I would appreciate these being sent to me as soon as possible because I require them as exhibits.

In addition to violating the ADA and the Constitution, the sheriff is also violating the Inspection of Public Records Act.

Thank you for your courteous response. I am going to start cleaning house in Colfax County.

G. Langworthy

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input checked="" type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

VI. CAUSE OF ACTION

Brief description of cause:

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

110,000

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

LAUGHERTY
Box 151
NM 87749

RECEIVED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

NOV 13 2023

MITCHELL R. ELPERS
CLERK



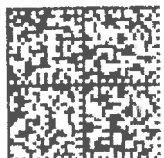
USPS TRACKING #



bel400 Jan. 2013
90-16-000-7948

U.S. District Court
for New Mexico
333 Lomas Blvd NW
Albuquerque NM
87102

FIRST-CLASS



US POSTAGE
ZIP 87149 \$0
02 7H
0001346298 NO